

**TOWN OF UNDERHILL  
SELECTBOARD MEETING MINUTES  
Underhill Town Hall  
Tuesday, June 4, 2019, 4:00 p.m.**

**Selectboard:** Pat Sabalis, Dan Steinbauer and Bob Stone

**Town Staff:** Brian Bigelow and Nate Sullivan

**Public:** Ruth Miller (MMCTV arrived at 4:07), Ben Butler, Sara Butler, Pete Czaja, Jon Howard, Kohlton Butler, John Butler, Rick Heh, William Butler, Natalie Coughlin, Karen Davis, Ed DiNardo, Eliza Kramer, Sue Kusserow, Tristan Butler, Brian Welch

**4:00 p.m. Call to order, adjustments to agenda.** Meeting called to order by Pat Sabalis. Add Executive Session re: Personnel.

**4:01 p.m. Public Comment Period.** None.

**4:02 p.m. Class 4 Road Maintenance.** Rick Heh, Highways Infrastructure and Equipment Committee (HIEC) member in attendance and provided a handout (attached to minutes). Rick Heh walked those in attendance through the handout. Discussion ensued regarding specific roads, past maintenance practices and future options. Results of HIEC Town Meeting survey relative to Class 4 roads discussed. Work to continue on preparing a draft Class 4 Road Policy for review and comment.

**4:52 p.m. New Business:**

**Chittenden County Sheriff's Department (CCSD) FY19-20 Contract.** CCSD Detective Sargent Brian Welch in attendance to discuss the FY19-20 Contract. Discussion ensued about potential budgetary increase to include additional hours of coverage and the practicality of contracting for overweight vehicle enforcement. Town Administrator to revise current contract and forward to CCSD.

**Waiver Request re Access Permit A18-18 (Kramer/AR001).** Eliza Kramer and Sue Kusserow in attendance to discuss the applicant's request for the removal of an approval condition regarding the width of the shared driveway. Zoning Administrator memorandum, timeline regarding the Access Permit, (issued in July 2018 following Selectboard site visit, lack of timely appeal of Access Permit conditions), the earlier subdivision process (Planned Residential Development), the December 18, 2018 amendment of the Road Ordinance, and appropriate venue (Selectboard or Development Review Board) discussed.

Pat Sabalis moved that the Waiver request be directed to the Development Review Board. Dan Steinbauer seconded and the motion passed by a vote of 2 - 1 (Bob Stone voting against).

**Draft RFP for Bridge #8 Engineering.** Draft reviewed. Consensus to forward to HIEC for review. Town Staff to finalize Site Visit date and advertise the RFP.

**5:37 p.m. Town Policy Review: Review of Draft Public Records Policy and Review of Facilities Rental Policy.** By consensus deferred to next meeting.

**5:38 p.m. Old Business.**

**Underhill Center Post Office Floor.** Dan Steinbauer and Town Administrator to continue to solicit quotes and warranty for installation of vinyl plank flooring with a schedule of reviewing quotes at the next Selectboard meeting.

**Underhill Historical Society (UHS) PV032X Boundary Question.** Town Administrator advised that Brad Holden L.S. anticipates having the survey complete next week.

**Underhill Recreation Committee (URC), Moore Park Power Drop.** Town Administrator advised that with the proposed location it would be preferable to utilize the transformer on a different pole than Mike Linde had originally discussed with Green Mountain Power (GMP). Linde is proposing the change to GMP.

**5:53 p.m. Warrants and Minutes.**

Pat Sabalis moved to approve the minutes of the May 23, 2019 Regular Meeting of the Selectboard. Dan Steinbauer seconded and the motion passed by a vote of 3-0.

**5:55 p.m. Member Items, Correspondence, Announcements, Schedule:** Notice made of that the next Regular Selectboard meeting is scheduled for June 20, 2019 but there is a quorum issue so that meeting will be canceled and a Special Meeting held on June 18, 2019 with a start time to be determined.

**Correspondence.** Notice made of receipt of:

- Nate Sullivan in attendance to discuss his handout regarding quotes for updated street signage and to discuss repairs to 2008 Dump Truck. Rice Signs quoted the 75 signs at \$7,140.00 and Work Safe quoted the same sign package for \$4,982.35. Additional costs for posts and bases equal \$5,390.00 regardless of vendor.  
Various repairs required for annual inspection of 2008 Dump Truck catalogued. Consensus of Selectboard was that vendors with most competitive labor rates perform inspections and repairs to vehicles without warranty coverage. Work on vehicles that are still under warranty should be performed at Clark's

Pat Sabalis moved to approve the purchase of 75 street signs in the amount of \$4,982.35 and posts and bases in the amount of \$5,390.00 from Work Safe. Dan Steinbauer seconded and the motion passed by a vote of 3-0.

Consensus of Selectboard to proceed with Bob Stone's suggestion that the old street signs be retained and arrange an auction to raise funds for Tomasi Meadow purchase.

Pat Sabalis moved to approve a not-to-exceed expenditure of \$2,500 for inspection related repairs to the 2008 Dump Truck. Dan Steinbauer seconded and the motion passed by a vote of 3-0.

- Notice of Award for VTrans FY20 Better Road Grant in the amount of \$16,269.00 for Stormwater related improvements on Beartown Road.

- Notice of Award for Planning Work for Bicyclist Accommodation and Pavement Analysis on River Road and Pleasant Valley Road in the amount of \$40,000 through the Chittenden County Regional Planning Commission.
- Email from Sara Ritter, Girl Scout Troop Leader of Troop 30108 on status of the Troop's planting project at Veteran's Park in Underhill Flats. Town Administrator to draft a letter of appreciation.
- Zoning Administrator issued Access Permit for 35 Sugar Hill (SU035).

#### **Member Items.**

Green Lantern Group (GLG) proposed contract to be on the agenda of the next Selectboard meeting and a Conference Call with the Town's Attorney may be scheduled.

Consensus of Selectboard to consider amendment to their Rules of Procedure. Amendment would establish a deadline for submitting materials for Selectboard review of at least 48 hours prior to the Selectboard Meeting.

**6:14 p.m. Warrants and Minutes (con't).** By consensus the Board reviewed and signed current warrants.

**6:16 p.m. Second Public Comment Period.** None.

#### **6:30 p.m. Executive Session.**

Pat Sabalis moved that the Selectboard enter Executive Session to discuss a personnel issue under the provisions of Title 1, Section 313(a)(3) of the Vermont Statutes. Dan Steinbauer seconded and the motion passed on a vote of 3-0.

At 6:35 p.m. Pat Sabalis moved to exit Executive Sessions. Dan Steinbauer seconded and the motion passed 3-0.

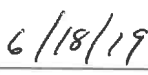
As a result of Executive Session, The Town will fund Town Administrator's Health Insurance through TriCare (Retired Reserve) rather than Blue Cross/Blue Shield at an approximate anticipated annual savings of \$6,757.

**6:37 p.m. Adjournment:** On a motion made by Pat Sabalis and seconded by Bob Stone, the Selectboard voted 3-0 to adjourn.

Submitted by Brian Bigelow, Town Administrator

Read and Approved as submitted/amended

  
Pat Sabalis, Chair

  
Date

## **Class-4 Roads:**

### **Highly Variable, Inconsistent, Challenging, Controversial,**

Significant variation of road conditions among Class-4 roads

From: Not visible and not drivable (TH#32, portions of Corbert & Butler)

To: Nearly equal and maintained equivalent to average Class-3 roads (Howard, Covey)

Topography & Geography conditions range:

From: Adequate width and and ditching capable of meeting A-76 Standards

To: Incapable of meeting A-76 standards (width, ditching, etc.) without radical alteration, including blasting of rock ledge: removal of hundreds of mature trees within 10-12ft.

Road width; or addition of significant portions of gravel to raise roadbed above surrounding topography.

Maintenance of Class-4 roads range from None, to a varying degree, handled by the residents and/or the State (Stevensville), Cambridge (Covey).

Maintenance cost expended varies from None, to just enough to enable seasonal or year round automobile access, or more.

Maintenance varies dependant on road length, topography and geographic limitations.

May be a road (*essentially a driveway*) to a single residence.

Shorter length: less cost; longer length, culverts, bridge, etc. greater cost.

According to 19 V.S.A. § 310: "(b) Class 4 highways may be maintained to the extent required by the necessity of the town, the public good and the convenience of the inhabitants of the town.

Additionally a Class 4 highway:

1. is 3 rods or 49.5' (unless otherwise recorded) – 19 V.S.A. § 702; \*\*
2. is not eligible for state aid funds – 19 V.S.A. § 306;
3. is usually not maintained for winter use – 19 V.S.A. § 302 (a) (3) (b);
4. may be reclassified or discontinued – 19 V.S.A., Chapter. 7.

**Given the realities of Class-4 roads, what have we considered:**

**Challenge being:** If monies were allocated for Class-4 Road maintenance, How much should be allocated and how would it be apportioned in a fair and non discriminatory manner?

**1) Created a "Road Characteristics" matrix of our Underhill Class-4 roads** and applied point scoring in attempt to assess Pros & Cons. Intending to determine if this might highlight / identify which roads logically would warrant maintenance by the Town. Matrix Included:

Length of roads

Number of residences, Camps, Businesses, Municipal, State and Federal entities

Conditions and limitations of roads; Width, current and potential ditching

Number of culverts & bridges; Thru road vs. dead-end road

Passenger car accessible year round; Etc.

Results:

As might be expected, roads scored LOWER if longer length, greater number of culverts, bridges, geographic limitation, poorer condition, fewer residences and/or fewer other entities. Scored HIGHER if the reverse of the above and potential vital Thru road access for instance.

**2) Created a second matrix of "Tax Revenue" per each of the Class-4 roads**

Results:

Here longer length roads typically scored HIGHER, given greater number of residences /parcels. For instance Fuller road which scored lowest in Characteristics matrix, scored 2nd Highest. Some controversy however given potential for fewer number of "higher value" residences scoring better than a greater number of "lesser valued" residences.

**3) Roads Survey at Town Meeting**

**Question: Should the Town carry a budget for maintaining Class 4 roads? Yes / No?**

Overall: Equally split between Yes and No. Indicating there certainly are residents willing to spend \$\$ to maintain Class4 roads, but contentious because there are an equal number Not willing to spend \$\$.

Viewing the data dependant on the Class of road residents live on: The better maintained roads Class1 & Class2 are NOT in favor of spending \$\$; Class3 equal split Yes/No. Class4 & Private roads DO prefer spending \$\$ at a rate of 5:1 & 2:1 respectively.

Suggested conclusion: If you live on a "maintained" road you are generally less in favor of spending \$\$; vs. if you live on a Class4 or Private road more in favor of spending \$\$ on Class4 roads. Conclusion not surprising...

## **Studies were Enlightening, Valuable, Interesting yet potentially Contentious/Arbitrary**

The Planning & Development coordinator for Hartland Vt. when considering spending \$\$ on Class-4 roads uses among other criteria the following test: "But for that (fill in the item/issue), *Would the town residents be willing to spend \$\$ to maintain the given road?*"

### **Consideration for a simpler solution?**

- 1) Town determine a specific \$\$ (line item) allocation for Class-4 roads, vs. include additional \$\$ into the general Roads maintenance budget line item.
- 2) Taking into consideration obvious conditions & limitations - such as the road or portion of road has NOT been utilized for vehicle passage:
  - A. Divide the \$\$ equally between each of the viable roads. On surface would not seem fair.
  - B. Make the \$\$ available to the viable roads on a "cost sharing" basis. "Skin in the game" 50% Town / 50% residents of road. **Recommend this option.**

Might only be for Materials - gravel, culverts. (Ie. not adding additional maintenance responsibility to the small Town Road Crew). Vs. Materials & Labor.

### **Next steps:**

Selectboard consider options.

Consider capacity of Road Crew for potential additional responsibility

Additional review by Roads Committee

Decide on best fit option(s) and review at Selectboard open meeting.

Decide upon and allocate the appropriate \$\$.